

REMARKS

Claims 1-18 are pending in the application. The Examiner has rejected Claims 1-12 and 14-17 under 35 U.S.C. §102(e) as being anticipated by Ostberg et al. (U.S. Patent 6,504,830). The Examiner has rejected Claims 13 and 18 under 35 U.S.C. §103(a) as being unpatentable over Ostberg et al. in view of Nystrom et al. (U.S. Patent 6,526,091).

In addition, the Examiner has maintained his objection of the drawings under 37 C.F.R. §1.83(a) as not containing "descriptive wording". In order to facilitate prosecution, Fig. 6 has been amended to add the word "DESPREADER" to element 610. A copy of amended Fig. 6 is attached hereto. Based on at least the foregoing amendment, withdrawal of the objection of Fig. 6 is respectfully requested.

Regarding the rejections of independent Claims 1, 5, 9 and 14, the Examiner states that Ostberg anticipates the elements recited in the claims. Ostberg discloses a method, apparatus and system for fast base synchronization and sector identification. Each of independent Claims 1, 5, 9 and 14 recite three specific codes, namely a first synchronization code, a base station group specific code, and a base station specific code. These three codes are utilized to conduct a cell search, as recited in the claims of the present application. Ostberg does not use its codes to conduct a cell search. Based on at least the foregoing arguments, withdrawal of the rejections of Claims 1, 5, 9 and 14 is respectfully requested.

Independent Claims 1, 5, 9 and 14 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6-8, 10-13 and 15-18, these are likewise believed to be allowable by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6-8, 10-13 and 15-18 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-18, are believed to be in condition for allowance. Should the Examiner believe that a telephone

conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516

PJF/MJM/dr